CLASSIFICATION OFFICE DECISION

Title of publication:	Screenshot_2015-07-27-00-00-09.png
Other known title(s):	Not stated
OFLC ref:	1800550.010
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	15 February 2019
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	14 February 2019

Summary of reasons for decision:

The image explicitly depicts a person performing a sexual act. Consideration has been given as to whether the subject is a child or young person. The Classification Office considers that their age cannot be determined with any degree of certainty and therefore it cannot fairly be said that the image depicts the sexual exploitation of a child or young person. However, the unrestricted availability of the image is still likely to be injurious to the public good. There is a common social consensus across many countries that sexual material such as this should be limited to adults because of the potential for harm to developing sexual attitudes and behaviours of young people from premature exposure to such material. The image is therefore restricted to adults. This classification interferes with the right to freedom of expression as set out in the New Zealand Bill Of Rights Act 1990 but is justified in order to prevent injury to the public good.